AVESF 8.3.1



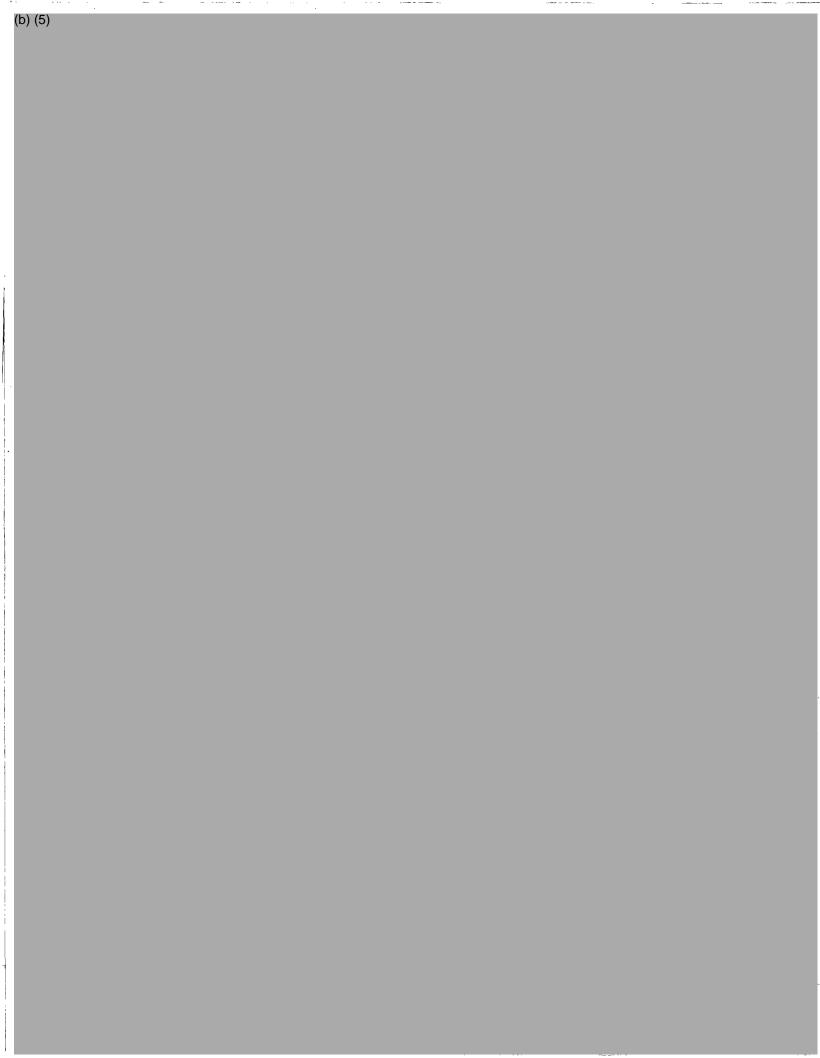
(b) (5)

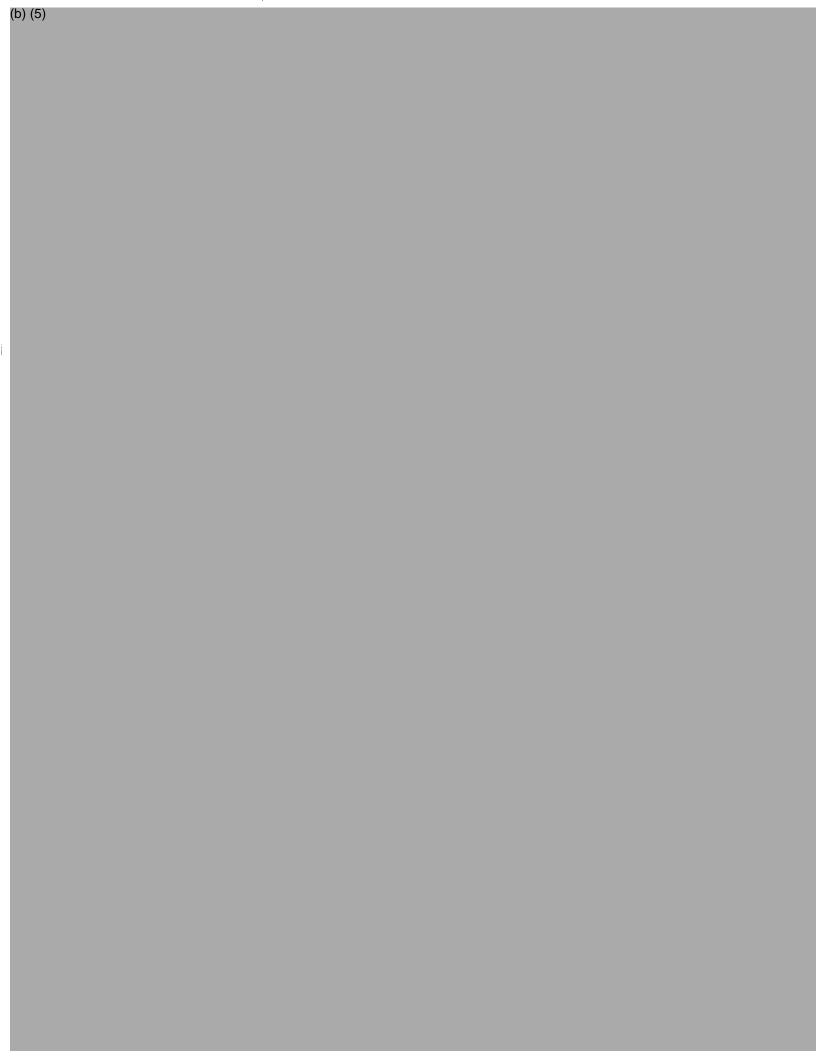
## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 10 1200 Sixth Avenue Seattle, WA 98101

CONFIDENTIAL

November 10 2007







## **Chain of Title**

Shoshone County Parcel 45N05E-15-3100 (Bentcik property)
Legal Description: That portion of Government lots 3 &4, Section 15, Township 45 N. Range 5 East, B.M. lying south of Chicago, Milwaukee, St. Paul Railroad right-of-way and North of St. Joe River.

Document/Date	Grantor	Grantee	Notes
Decree Quieting Title	Harold E. Theriault,	Lawrence R.	That portion of
to Real Property	deceased;	Bentcik and	Government lots 3
373797	Causetta Posey,	Ethel M.	&4, Section 15,
8/19/1996	deceased	Bentcik,	Township 45 N.

Ibid, page 65
 Ibid, page 66
 Potlatch Corp. 104(e) response, page 2.

		husband & wife	Range 5 East, lying
		nasoana & wiic	south of Chicago,
			Milwaukee, St. Paul
		•	_
			Railroad right-of-way
			and North of St. Joe
	D :1 m : 1		River.
Quit Claim Deed	David Theriault	Lawrence R.	That portion of
365647		Bentcik and	Government lots 3
1/17/1995		Ethel M.	&4, Section 15,
		Bentcik	Township 45 N.
			Range 5 East, lying
·		; 	south of the
·		·	Highway right-of-
			way
Quit Claim Deed	Edwards	Edwards Forest	Portions of
331211	Investments, an	Industries, Inc.	Government Lots 1,
12/9/1987	Idaho Partnership		2, 3, and 4 Section
	and Edwards		15, Township 45N
	Investments, a	e gifte yr Gerif	Range 5E lying north
·	General Partnership		of Grantee's railroad
		14 <u>1</u>	right-of-way
Quit Claim Deed	Richard B. Ogilvie,	John O.	Portions of
320828	as Trustee of	Edwards and	Government Lots 1,
11/18/1985	property of	Dorothy	2, 3, and 4 Section
	Chicago,	Edwards,	15, Township 45N
	Milwaukee, St.	nominees for	Range 5E lying north
	Paul and Pacific	Edwards	of Grantee's railroad
	Railroad	Investments, an	right-of-way
		Idaho	•
	The state of the s	Partnership	· .
Quit Claim Deed	Richard B. Ogilvie,	Potlatch	Except portions of
286664	as Trustee of	Corporation	Government Lots 3 &
6/3/1980	property of		4 lying northerly of
	Chicago,		line running east to
	Milwaukee, St.		west between 45 and
	Paul and Pacific		100 feet north of the
<u>.</u>	Railroad		main track centerline
			(paraphrased)
Quit Claim Deed	Michael Rae Moore	Harold E.	Portion north of
245009	and Dorothy Moore	Theriault	railroad right-of-way
3/1/1973			
Quit Claim	Harold E. Theriault	Michael Rae	Portion north of
243758		Moore &	railroad right-of-way
11/13/1972		Dorothy Moore	
243758	Traiold E. Therraun	Moore &	railroad right-of-way

Shoshone County Parcel: 45N05E-16-2000 (The Potlatch Lumber Company)

This property is

Document/Date	Grantor	Grantee	Notes
Bargain and Sale Deed	Potlatch Corporation	Potlatch Forest	
428582		Products Corp.	
January 19, 2006			
Quit Claim Deed	Richard Ogilvie,	Potlatch Corp.	
148758	Trustee for the		
June 3, 1980	Chicago, Milwaukee,		
·	St. Paul and Pacific		,
	Railroad (RR)		

(are these the same)

Quit Claim Deed	Richard Ogilvie,	Potlatch Corp.	RR was in
286664	Trustee for the		bankruptcy
June 3, 1980	Chicago,		
	Milwaukee, St. Paul		
	and Pacific		
	Railroad (RR)		

This is a description of the property: "That a certain main line right of way of the Chicago, Milwaukee, St. Paul and Pacific Railroad extending south and west toward St. Maries, Idaho from the west line of Section 11, ...identified as Avery terminus and terminating at...identified as St Maries terminus....EXCEPT that portion of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company's property in Government Lots 1 through 4 in Section...lying northerly of the following described line...thence continuing westerly parallel to and 100 feet northerly, as measured at right angles to the said main track centerline, to appoint the west line of Government Lot 4, said section 15 and begin the point of ending..."

## Creation of Forest Highway 50

On June 20, 1986, in U.S. District Court a Judgment on Declaration of Takings and Order for Delivery of Possession was issued between the U.S. and the Potlatch Corporation and the heirs of Mary D. Theriault and Edward I. Theriault, *et al* and others. The taking created Forest Highway Route 50 between Avery and St. Maries, Idaho and covered numerous parcels.

Parcel No. 19 of this document covers Lots 4, 3, 2, and 1 of Section 15, covering a "strip of land variable in width on each side of the centerline of the former Chicago, Milwaukee, St. Paul and Pacific Railroad Company's main track...{on the right side of the centerline} Beginning at a point on the west boundary of said Lot 4, which point is 50 feet right of approximate centerline Station 669+82; thence parallel to the above described centerline to a point 50 feet right of Station 677+41; then to a point on the ordinary high water line on the north bank of the St. Joe River..."

The road was paved in approximately 1991. In 1992, the Federal Highway Administration conveyed an easement through the property to Shoshone County for the operation and maintenance of highway.